

SEP 19 2006

**FAX TRANSMISSION****DATE:** September 19, 2006**PTO IDENTIFIER:** Application Number 10/758,902-Conf. #7360  
Patent Number**Inventor:** Fiorenzo STIRPE et al.**MESSAGE TO:** US Patent and Trademark Office**FAX NUMBER:** (571) 273-8300**FROM:** LAHIVE & COCKFIELD, LLP

Cynthia L. Kanik, Ph.D.

**PHONE:** (617) 227-7400**Attorney Dkt. #:** PNJ-005CN**PAGES (Including Cover Sheet):** 8**CONTENTS:** Transmittal (1 page)  
Fee Transmittal (1 page, in duplicate)  
Information Disclosure Statement (2 pages)  
PTO form SB/08 (6 References) (1 page)  
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Certificate of Transmission (1 page)

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PTO/SB/21 (07-06)

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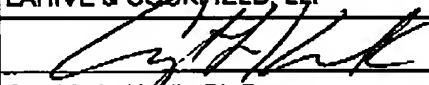
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<b>TRANSMITTAL FORM</b>  <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/758,902-Conf. #7360
	Filing Date	January 18, 2004
	First Named Inventor	Florenzo STIRPE
	Art Unit	1656
	Examiner Name	S. Swope
Total Number of Pages in This Submission	Attorney Docket Number	PNJ-005CN

**ENCLOSURES (Check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosures: PTO Form SB/08 (1 page) Certificate of Facsimile (1 page)
Remarks		

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	LAHIVE & COCKFIELD, LLP		
Signature			
Printed name	Cynthia L. Kanik, Ph.D.		
Date	September 19, 2006	Reg. No.	37,320

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Dated: September 19, 2006

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(Cynthia L. Kanik, Ph.D.)

SEP 19 2006

PTO/SB/17 (07-06)  
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<b>Effective on 12/08/2004</b> <b>FEE TRANSMITTAL</b> <b>For FY 2005</b>		<b>Complete if Known</b>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27		Application Number: 10/758,902-Conf. #7360	Filing Date: January 16, 2004
TOTAL AMOUNT OF PAYMENT (\$): 180.00		First Named Inventor: Florenzo STIRPE	Examiner Name: S. Swope
		Art Unit: 1656	Attorney Docket No.: PNJ-005CN

<b>METHOD OF PAYMENT (check all that apply)</b>	
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For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)	
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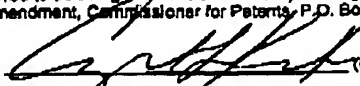
  

<b>FEE CALCULATION</b>							
<b>1. BASIC FILING, SEARCH, AND EXAMINATION FEES</b>							
	<b>FILING FEES</b>		<b>SEARCH FEES</b>		<b>EXAMINATION FEES</b>		
<b>Application Type</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fee (\$)</b>	<b>Small Entity Fee (\$)</b>	<b>Fees Paid (\$)</b>
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	
<b>2. EXCESS CLAIM FEES</b>							
<b>Fee Description</b>							<b>Small Entity Fee (\$)</b>
Each claim over 20 (including Reissues)							50
Each independent claim over 3 (including Reissues)							200
Multiple dependent claims							360
<b>Total Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>		<b>Multiple Dependent Claims</b>		
		x			<b>Fee (\$)</b>		<b>Fee Paid (\$)</b>
HP = highest number of total claims paid for, if greater than 20.							
<b>Indep. Claims</b>	<b>Extra Claims</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>				
		x					
HP = highest number of independent claims paid for, if greater than 3.							
<b>3. APPLICATION SIZE FEE</b>							
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).							
<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>			
- 100 =		/50	(round up to a whole number) x				
							<b>Fees Paid (\$)</b>
<b>4. OTHER FEE(S)</b>							
Non-English Specification. \$130 fee (no small entity discount)							
Other (e.g., late filing surcharge): 1806 Submission of an Information Disclosure Statement							180.00

<b>SUBMITTED BY</b>			
Signature	Registration No. (Attorney/Agent)	37,320	Telephone (617) 227-7400
Name (Print/Type)	Cynthia L. Karik, Ph.D.		Date September 19, 2006

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Dated: September 19, 2006	Signature:  (Cynthia L. Karik, Ph.D.)

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Dated: September 18, 2006 Signature: 

(Cynthia L. Rank, Ph.D.)

Docket No.: PNJ-005CN  
(PATENT)**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Fiorenzo Stirpe *et al.*

Application No.: 10/758,902

Confirmation No.: 7360

Filed: January 16, 2004

Art Unit: 1656

For: TYPE-1 RIBOSOME-INACTIVATING  
PROTEIN

Examiner: S. Swope

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed more than three months after the U.S. filing date, after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)).

For the Examiner's convenience in reviewing this continuation application, Applicants submit a consolidated PTO Form SB/08, listing all references cited during the prosecution of the parent application. The present application is a continuation of U.S. Serial No. 09/445,160, filed March 10, 2000 (Atty. Docket No. PNJ-005). All references listed on the enclosed PTO Form SB/08 have been previously cited by or submitted to the Office in the prior application,

Application No.: 10/758,902

Docket No.: PNJ-005CN

and, in accordance with 37 CFR §1.98(d), copies of the references are not enclosed but will be provided upon request.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

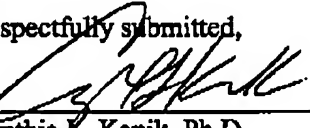
It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

Please charge our Deposit Account No. 12-0080 in the amount of \$180.00 covering the fee set forth in 37 CFR 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 12-0080, under Order No. PNJ-005CN.

Dated: September 19, 2006

CLK/mch

Respectfully submitted,

By   
Cynthia L. Kanik, Ph.D.  
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Attorney/Agent For Applicant

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Substitute for form 1445A/B/PTO  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)				<b>Complete if Known</b>	
				Application Number	10/758,902-Conf. #7360
				Filing Date	January 18, 2004
				First Named Inventor	Florenzo STIRPE
				Art Unit	1656
				Examiner Name	S. Swope
Sheet	1	of	1	Attorney Docket Number	PNJ-005CN

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number Number-Kind Code <sup>2</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document Country Code <sup>2</sup> -Number <sup>3</sup> -Kind Code <sup>4</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>5</sup>
	B1*	JP-1-272599	10-31-1989	Japan Tobacco Inc.		
	B2*	AF-93/09130-A1	05-13-1993	Xoma Corporation		
	B3*	AF-94/26910-A1	11-24-1994	Xoma Corporation		
	B4*	WO-95/11977-A2	05-04-1995	Bristol-Myers Squibb Company		

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NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.		
	C1*	Barbieri, et al. "Ribosome-Inactivating proteins from plants," <i>Biochim., Biophys., Acta</i> , Vol. 1154:237-282 (1993)		
	C2*	Nicolas, Emmanuelle et al. "An additional mechanism of ribosome-inactivating protein cytotoxicity: degradation of extrachromosomal DNA," <i>Biochem., J.</i> Vol. 327:413-417 (1997)		

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Examiner Signature		Date Considered	
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Application No. (if known): 10/758,802

Attorney Docket No.: PNJ-005CN

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Cynthia L. Kanik, Ph.D.

Typed or printed name of person signing Certificate

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